United Nations CRC/C/LVA/CO/3-5

Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the third to fifth periodic reports of Latvia*

I. Introduction

1. The Committee considered the combined third to fifth periodic reports of Latvia (CRC/C/LVA/3-5) at its 2058th and 2060th meetings (see CRC/C/SR.2058 and 2060), held on 12 and 13 January 2016, and adopted the following concluding observations at its 2104th meeting (see CRC/C/SR.2104), held on 29 January 2016.

2. The Committee welcomes the submission of the combined third to fifth periodic reports of the State party and the written replies to the list of issues (CRC/C/LVA/Q/3-5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the ratification of or accession to the following instruments:

(a) The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, in 2014;

(b) The Convention on the Rights of Persons with Disabilities and its Optional Protocol, in 2010;

(c) The European Social Charter (revised), in 2013.

4. The Committee notes with appreciation the adoption or amendment of the following legislative measures:

(a) The Asylum Law, in December 2015;

* Adopted by the Committee at its seventy-first session (11-29 January 2016).

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(b) The amendment to the Law on Restrictions regarding the Sale, Advertising and Use of Tobacco Products, which bans smoking in the presence of a child, in November 2014;

(c) The amendments to the Civil Procedure Law, on protection against violence and providing for the abuser and not the victim(s) to leave the house, in February 2014;

(d) The amendment to the Citizenship Law, simplifying the acquisition of citizenship and naturalization procedures for children under 15 years, in May 2013;

(e) The amendment to the Latvian Administrative Violations Code, on the duty of parents or guardians to care for a child, in September 2009.

(f) The amendments to the Law on Protection of the Rights of the Child, on child safety and restrictions on participation in public events, in July 2008.

(g) The amendments to the Criminal Law, on aggravating circumstances in the case of violence by a related person, in October 2010, and on the prohibition of discrimination, in June 2007;

(h) The Law on State Compensation to Victims, including minors, in May 2006;

(i) The Law on Orphans' Courts, in June 2006.

5. The Committee welcomes the following institutional and policy measures:

(a) The Education development strategy, 2014-2020;

(b) The Action plan of the programme to protect children from criminal offences against morality and sexual inviolability, 2010-2013;

(c) The "Latvia Fit for Children" strategy, 2010-2012;

(d) The Programme for preventing juvenile delinquency and protecting children against criminal offences, 2009-2011;

(e) The Programme for reducing domestic violence, 2008-2011;

(f) The State Inspectorate for the Protection of Children's Rights, since 2005;

(g) The Ombudsman Office and its Children's Rights Division, since 1 January 2007;

(h) The National Strategy for the Prevention of Child Crime and the Protection of Children from Criminal Offences, 2013-2019.

6. The Committee notes as positive the acceptance by the State party of visits by the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, in May 2012; the Special Rapporteur on the sale of children, child prostitution and child pornography, in October 2008; and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in September 2007.

III. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44 (6))

7. The Committee recommends that the State party take all measures necessary to address its previous recommendations of 2006 (CRC/C/LVA/CO/2)[1] that have not been implemented or that have not been sufficiently implemented, in particular, those related to coordination and a national plan of action (para. 11), children deprived of a family environment (para. 33) and children with disabilities (para. 40).

Legislation

8. The Committee welcomes the amendment to the Law on the Protection of the Rights of the Child, in July 2008, regarding child safety and child supervision; however, it is concerned about the continuing gap between laws and practice.

9. The Committee reiterates its previous recommendation (para. 9) and recommends that the State party take the measures necessary to ensure the implementation of the laws, in full compliance with the Convention.

Comprehensive policy and strategy

10. The Committee welcomes the development, in June 2010, of the plan for the basic guidelines on "Latvia Fit for Children", 2010-2012, to identify the measures for protecting children against violence, improving children's health and the accessibility of quality education, and the adoption, in 2009, of the basic guidelines on the Youth Policy, 2009-2018. The Committee is, however, concerned about the lack of a comprehensive policy on children's rights to ensure that all State policies and programmes are guided by consideration of the rights of the child and about gaps and unnecessary duplication in the work of government entities.

11. The Committee recalls its previous recommendation (para. 11) and recommends that the State party develop a comprehensive policy and strategy for the implementation of all rights covered by the Convention, ensure coordination and complementarity among government entities and provide the human, technical and financial resources necessary for their effective implementation.

Coordination

12. The Committee is concerned that the abolishment of the Ministry of Children, Family and Integration Affairs, in 2009, and the distribution of its functions among the Ministry of Welfare, the Ministry of Justice and the Ministry of Education and Science may hamper the effective coordination of measures for the comprehensive protection and promotion of the rights of the child. While welcoming the creation of the Youth Advisory Council to ensure coordination in the development and implementation of the Youth Policy, the Committee notes the absence of a mechanism to monitor its effectiveness and is concerned that it does not adequately cover the rights of children during early childhood.

13. The Committee recommends that the State party ensure that the Children and Family Policy department of the Ministry of Welfare has the mandate, authority and human, technical and financial resources necessary to effectively carry out its policy

[1] Unless otherwise indicated, paragraph numbers in parentheses refer to the Committee's previous concluding observations on Latvia of 2006 (CRC/C/LVA/CO/2).

and strategic planning functions. The Committee also recommends that the State party establish an appropriate mechanism to monitor the effectiveness of the Youth Advisory Council in ensuring coordination in the development and implementation of youth policies and programmes at cross-sectoral, national, regional and local levels and review its scope of action. It further recommends that the State party expedite the establishment of a mechanism to address the rights of children during early childhood.

Allocation of resources

14. The Committee welcomes the adoption, in 2007, of the procedure to track municipalities' investments in education, but is concerned about:

(a) The continuing lack of a comprehensive State and municipal system to monitor budgetary allocations for implementing all areas of the Convention;

(b) The limited public participation in budgetary processes and partial data available to the State Audit Office, which restrict its ability to assess public investment in social care areas;

(c) The ongoing impact of structural adjustment and austerity measures on children's rights in the post-economic-crisis period;

(d) The levels of corruption, which affect the implementation of children's rights.

15. **In the light of its day of general discussion in 2007 on "Resources for the rights of the child – responsibility of States", the Committee recommends that the State party:**

(a) **Utilize a child-rights approach in the elaboration of State and municipal budgets, by implementing a tracking system for the allocation and use of resources for children in the budgets. The State party should also use the tracking system to assess how investments in any sector serve the best interests of the child and ensure that the impacts on girls and boys are measured;**

(b) **Ensure transparent and participatory budgeting through public dialogue, especially with children and non-governmental organizations working for children's rights and proper accountability of the authorities at the municipal and State levels;**

(c) **Ensure that all official data is available to the State Audit Office and provide it with the human, technical and financial resources necessary to monitor and assess public investment in social care areas;**

(d) **Carry out impact assessments of structural adjustment and austerity measures in areas that are directly and indirectly related to children's rights;**

(e) **Take immediate measures to combat corruption and strengthen institutional capacities to effectively detect and investigate corruption and prosecute those responsible.**

Data collection

16. The Committee welcomes the publication, since 2004, of statistical data on children in vulnerable situations in "Children of Latvia", the Ministry of the Interior Support Information System for Minors, which processes information about children in crisis situations, since 2012, and the different thematic studies carried out and the steps taken to create an information system on refugees and asylum seekers. However, it is concerned

about the lack of a comprehensive information system on children and the quality of the data entered.

17. **The Committee recommends that the State party develop a comprehensive information system on all areas of the Convention and strengthen the capacity of State operators to enter data correctly and in a timely manner on the different areas. The Committee further recommends that the State party take into account the conceptual and methodological framework set out in Office of the United Nations High Commissioner for Human Rights, *Human rights indicators: a guide to measurement and implementation* (2012) when defining, collecting and disseminating statistical information.**

Independent monitoring

18. The Committee welcomes the creation of the Ombudsman's Office, in 2007, and its "A" status accreditation by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in 2015. The Committee also welcomes the creation of the Children's Rights Division in the Ombudsman's Office and its work in promoting children's rights, including receiving complaints from children, and improving cooperation among State entities and with non-governmental organizations. However, it is concerned about the limited resources allocated to the Division.

19. **In the light of its general comment No. 2 (2002) on the role of independent human rights institutions, the Committee recommends that the State party ensure the necessary human, technical and financial resources to the Children's Rights Division of the Ombudsman's Office.**

Dissemination, awareness-raising and training

20. The Committee welcomes the translation of the Convention into a child-friendly version and its initial publication on the website of the Ombudsman's Office. However, it is concerned about:

(a) The lack of financial resources to maintain the chidren section on the website of the Ombudsman's Office;

(b) The widespread lack of knowledge of the Convention among children and society;

(c) The negative attitudes towards children's rights due to misunderstanding of the Convention.

21. **The Committee recommends that the State party:**

(a) **Allocate the resources necessary to maintain the children section on the website of the Ombudsman's office;**

(b) **Ensure that the Convention is permanently available in a child-friendly version and in minority languages and integrate education on the Convention in the school curricula, up to tertiary education;**

(c) **Regularly promote the provisions of the Convention on radio, television and social and other media and conduct awareness-raising campaigns.**

Training

22. While welcoming the training provided to judicial staff, law enforcement officers and education and health personnel, the Committee is concerned that child rights specialists

are only required to complete the training programme on the protection of children's rights within one year of occupying the position and that further training is only required every five years.

23. **The Committee recommends that the State party ensure that specialists are required to complete the training programme on the protection of children's rights prior to occupying the position and that they participate in further training at least every two years.**

Cooperation with civil society

24. The Committee welcomes the memorandum on cooperation between the Cabinet of Ministers and non-governmental organizations, but notes with concern that civil society and non-governmental organizations are not systematically involved in the development, implementation and monitoring of actions regarding children's rights.

25. **The Committee recommends that the State party establish an effective mechanism to systematically involve civil society and non-governmental organizations, including in rural areas, working in the field of children's rights in the development, implementation, monitoring and evaluation of laws, policies and programmes related to children's rights.**

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

26. The Committee welcomes the amendment to the Criminal Law, on 1 June 2007, on violation of the prohibition of discrimination and the provisions on non-discrimination in the Education Law, the Medical Treatment Law and the Law on the Rights of Patients. The Committee is, however, concerned about continuing discrimination against children with disabilities, children belonging to minorities, including Roma children, and children living in rural areas, with regard to their access to adequate health and education facilities. It is also concerned about the lack of official information on discrimination faced by lesbian, gay, bisexual, transgender and intersex children and on reported incidents of bullying against those children in schools.

27. **The Committee recommends that the State party:**

(a) **Ensure the application, in practice, of the different laws prohibiting discrimination, including by conducting awareness-raising programmes on the prohibition of discrimination and associated penalties, paying particular attention to children with disabilities and children belonging to minorities, including Roma children;**

(b) **Ensure that children living in rural areas have access to adequate health and education facilities;**

(c) **Conduct studies on discrimination against lesbian, gay, bisexual, transgender and intersex children and strengthen its efforts to combat negative attitudes and eliminate discrimination against children on the basis of their sexual orientation, gender identity and sex characteristics.**

Best interests of the child

28. The Committee welcomes the methodological recommendations developed by the State Inspectorate for the Protection of Children's Rights for the Orphans' Courts on the best interests of the child and notes the general framework established by the State party to

ensure respect for the best interests of the child. However, it is concerned about the continuing misunderstanding with respect to its meaning and the responsibilities it entails.

29. **In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party ensure that all relevant persons in authority and people working with and for children, receive training on the methodological recommendations and the general framework developed by the State Inspectorate for the Protection of Children's Rights for determining the best interests of the child in every area of the Convention and for giving the child's best interests due weight as a primary consideration.**

Right to life, survival and development

30. The Committee notes the decrease in child mortality, but remains concerned about the high rate of child mortality owing to external causes, namely suicide, drowning and traffic accidents.

31. **The Committee recommends that the State party intensify its efforts to decrease child mortality owing to external causes, in particular:**

(a) **Strengthen efforts to prevent suicide among children, including by increasing available psychological counselling services and the number of social workers in schools and communities, and ensure that all professionals working with and for children are adequately trained to identify and address early suicidal tendencies and mental health problems;**

(b) **Intensify awareness-raising and education campaigns to prevent traffic accidents and drowning of children;**

(c) **Increase the presence of human resources by State and municipal authorities to survey roads and beaches with the aim of preventing traffic accidents and drowning of children.**

Respect for the views of the child

32. The Committee welcomes the creation of the Advisory Committee for Youth Organizations, in 2007, and the fact that the Youth Advisory Council aims at encouraging youth involvement in decision-making and public life. However, the Committee regrets that no substantial information has been provided on how children's views were taken into consideration in the planning, implementation and evaluation of the youth policy. The Committee also regrets that no information has been provided on the extent to which children's views are taken into consideration in the practical application of the Law on the Protection of the Rights of the Child, the Civil Procedure Code and the Administrative Procedure Law.

33. **In the light of its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:**

(a) **Establish a system to assess how children's views are taken into consideration in the planning, implementation, monitoring and evaluation of policies relating to children's rights, including in the framework of the Youth Advisory Council and the Advisory Committee for Youth Organizations;**

(b) **Monitor how children's views are taken into consideration in the application of the Law on the Protection of the Rights of the Child, the Civil Procedure Code and the Administrative Procedure Law;**

(c) **Conduct awareness-raising programmes to promote the meaningful and empowered participation of all children within the family, community and schools, including student council bodies, with particular attention to girls and children in vulnerable situations.**

C. Civil rights and freedoms (arts. 7, 8 and 13-17)

Name and nationality

34. The Committee welcomes the progress made by the State party in decreasing the number of children with the legal status of non-citizens. However, it is concerned about children who are still in this situation and about the fact that the 2013 amendments to the Citizenship Law do not provide for automatically granting citizenship to children born in Latvia to parents with "non-citizen" status or to parents who are unable to transmit their citizenship to the child, but require that one parent formally submit a request for citizenship at the time of the birth registration.

35. **The Committee recommends that the State party intensify its efforts to ensure that all children have access to a nationality, including by reviewing the Citizenship Law to automatically grant citizenship to children born in Latvia who would otherwise be stateless, including children of parents with "non-citizen" status and parents who are unable to transmit their citizenship to their child. The Committee also recommends that the State party consider ratifying the 1997 European Convention on Nationality and the 2009 Council of Europe Convention on the avoidance of statelessness in relation to State succession.**

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Freedom of the child from all forms of violence

36. The Committee welcomes the amendments to the different laws aimed at protecting children from violence through increased sanctions for perpetrators as well as the programmatic measures to prevent violence. The Committee notes the educational and awareness-raising programmes offered by the State party to reduce violence against children, including the use of corporal punishment. The Committee is, however, concerned about:

(a) The lack of a comprehensive information system on violence against children, including on cases reported, investigations, prosecutions and sanctions applied;

(b) The lack of detailed information regarding response to known cases of violence, namely the 1,768 cases reported to the helpline in 2014;

(c) The limited role played by medical staff in identifying and reporting cases of violence against children.

37. **With reference to Sustainable Development Goal 16.2 to end, inter alia, all forms of violence against children, the Committee recommends that the State party:**

(a) **Establish an integrated information system for the comprehensive analysis of violence against children, monitor the efficiency of targeted measures and develop an evidence-based policy to prevent and address violence against children;**

(b) **Promptly investigate all reported cases of violence against children and prosecute and sanction perpetrators;**

(c) **Establish a clear procedure for medical staff to record and report cases of violence against children.**

Sexual abuse

38. The Committee remains seriously concerned about cases of sexual abuse in institutions for children with mental health disorders and the lack of information on criminal proceedings on those cases. The Committee is also concerned about the inability of the children to adequately understand and report instances of sexual abuse.

39. **In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:**

(a) **Establish mechanisms, procedures and guidelines to ensure mandatory reporting of all cases of sexual abuse of children and educate children with mental health disorders on identifying and reporting incidents of sexual abuse;**

(b) **Immediately investigate all cases of sexual abuse in institutions for children with mental health disorders and prosecute and sanction offenders;**

(c) **Strengthen the monitoring of institutions for children with mental health disorders, including training health staff and social workers to detect signs of sexual abuse.**

Helplines

40. The Committee regrets the lack of detailed information about the toll-free Helpline for Children and Adolescents of the State Inspectorate for the Protection of Children's Rights with regard to accessibility by children and the procedures for following up on complaints, the number of complaints received and their outcome.

41. **The Committee recommends that the State party:**

(a) **Ensure that the Helpline personnel receive regular training on the Convention and its Optional Protocols, to provide child-sensitive and child-friendly assistance and procedures for following up on complaints;**

(b) **Complement the Helpline with a regular monitoring mechanism to ensure the quality of the support and advice provided;**

(c) **Collect regular and systematic data on the number and types of complaints received and the support provided to victims.**

E. Family environment and alternative care (arts. 5, 9-11, 18 (1-2), 20, 21, 25 and 27 (4))

Family environment

42. The Committee is seriously concerned about:

(a) Cases of violence against children in their family environment and the failure of law enforcement officials to record and investigate all known incidents;

(b) The difficulties faced by law enforcement officials in assessing whether child victims of violence need immediate protective measures;

(c) The difficulties faced by court officials in assessing and identifying whether a parent has violated the rights of the child and enforcing a decision against a parent who has done so.

43. **In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:**

(a) **Conduct awareness-raising programmes for society, in general, and for professionals working with and for children, in particular, on their responsibility to report cases of violence against children, including in the family environment;**

(b) **Carry out capacity-building activities for law enforcement officials on the obligation to record and investigate all known cases of violence against children, including in the family environment;**

(c) **Continue to strengthen the knowledge and skills of the staff of the Orphans' Courts to identify early signs of violence against children and reinforce training of judges on the Law on Protection of the Rights of the Child and the Convention;**

(d) **Continue to promote positive, non-violent and participatory forms of child-rearing and discipline.**

Children deprived of a family environment

44. The Committee welcomes the decrease in the number of children in State institutions, but is concerned about:

(a) The slow development of the foster family network (1,155 children in 2012 and 1,224 children in 2014);

(b) The practice among child-care institutions of placing children under their care in boarding schools when there are other available educational institutions close by;

(c) The lack of information on respect for the rights of the child in boarding schools, as it is unclear who assumes the primary responsibility for guaranteeing the rights of these children;

(d) The continuing practice of using "baby boxes" that allow for the anonymous abandonment of children;

(e) The limited measures available to prepare children for leaving alternative care;

(f) The stigmatization of children in alternative care by the general population.

45. **The Committee recommends that the State party:**

(a) **Strengthen the system of foster care with a view to reducing the institutionalization of children and enhancing the role and responsibilities of State and municipal authorities in the process;**

(b) **Ensure that children in institutional care have access to the educational institution closest to their place of residence;**

(c) **Ensure periodic review of the placement of children in boarding schools and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;**

(d) **Take all measures necessary to stop the practice of "baby boxes" and promote alternatives, including by introducing the possibility of confidential hospital births, and address the root causes that lead to the abandonment of infants, including by providing family planning services and adequate counselling and social support to pregnant women and girls;**

(c) **Provide support to children in alternative care, including educational and vocational training according to their skills and interests, and to foster carers and institutional staff to enable them to adequately support the child through the process of leaving care and after, if the child so wishes;**

(f) **Raise awareness in the society to counter the stigmatization and discrimination of children in alternative care.**

F. Disability, basic health and welfare (arts. 6, 18 (3), 23-24, 26-27 (1-3) and 33)

Children with disabilities

46. The Committee welcomes the adoption of the guidelines to implement the Convention on the Rights of Persons with Disabilities and the measures taken to improve accessibility in public infrastructure, improve living conditions and promote inclusive education for children with disabilities. However, the Committee is concerned about:

(a) The lack of specific legislation to protect the rights of children with disabilities;

(b) The lack of detailed information on the number of children in inclusive education;

(c) The stigma and prejudice still endured by children with disabilities.

47. **In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee reiterates its previous recommendation (para. 40) and urges the State party to adopt a human rights-based approach to disability. It recommends that the State party, in particular:**

(a) **Adopt specific legislation to protect the rights of children with disabilities in conformity with international standards;**

(b) **Set up comprehensive measures to develop inclusive education and ensure that inclusive education is given priority over the placement of children in specialized institutions and classes; and train and assign specialized teachers and professionals in integrated classes to provide individual support and all due attention to children with learning difficulties;**

(c) **Organize data collection on children with disabilities and develop an efficient system for diagnosing disabilities, which is necessary for putting in place appropriate policies and programmes for children with disabilities;**

(d) **Conduct awareness-raising campaigns targeting government officials, the public and families so as to combat the stigmatization of and prejudice against children with disabilities and promote a positive image of such children.**

Health and health services

48. The Committee is concerned about:

(a) Long waiting lists and limited specialized medical services in the public health sector, which, in practice, hamper children's effective access to free adequate medical services in a timely manner, and the discrepancies between rural and urban children in accessing specialized medical services;

(b) Adolescents placed in mental health institutions together with adults;

(c) State financial control mechanisms not having access to information on health-care services, and not being able to verify the legal and effective use of the budget allocated to health care;

(d) The lack of information on measures taken to prevent iodine deficiency.

49. **The Committee draws the State party's attention to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and recommends that the State party:**

(a) **Ensure that all children have free and timely access to adequate medical services, including children living in rural areas;**

(b) **Establish separate mental health institutions for children and adults;**

(c) **Ensure that State financial control mechanisms have access to relevant information necessary to monitor the legal and effective use of the budget allocated to health care;**

(d) **Take the measures necessary to prevent iodine deficiency.**

Adolescent health

50. The Committee remains concerned about:

(a) The high rates of teenage pregnancy;

(b) The limited access to free contraception by adolescents;

(c) The medical costs for terminating the pregnancy of a girl under 16 years of age being borne by the girl and her parents and that the girl's views do not take precedence over that of her parents or guardians and, in case of conflict, the matter is decided by the Orphans' Court.

51. **In the light of its general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child, the Committee recommends that the State party:**

(a) **Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention on preventing early pregnancy and sexually transmitted infections; and intensify actions to raise awareness of and foster responsible motherhood, parenthood and sexual behaviour, with particular attention to boys and men;**

(b) **Ensure access to free contraception to adolescents, both girls and boys;**

(c) **Ensure free medical abortion services to all girls under the age of 18 years and ensure that their views are always heard and respected in abortion decisions.**

Drug and substance abuse

52. The Committee notes the creation of a new health department to assist children who use drugs and other substances, but is concerned that children are using drugs at a younger age and about the insufficient implementation of the State party's policies on drug prevention and assistance to child users and that children using drugs are mostly dealt with through a criminal approach and institutionalized.

53. **The Committee recommends that the State party:**

(a) **Address the incidence of drug use by children by, inter alia, raising awareness among children on the negatives effects of drugs, providing children with accurate and objective information as well as life skills education on preventing substance abuse, including tobacco and alcohol, and develop specialized and child-friendly drug-dependence treatment and harm-reduction services for children;**

(b) **Conduct awareness raising activities for society, in general, on the negative consequences of coercive treatment of children victims of drug abuse, including placing them in semi-closed institutions.**

Standard of living

54. The Committee remains concerned about the continuing impact of austerity measures on children, which still endures despite the improvement in the economic situation, the high level of unemployment, the increase in income inequalities and the foreseen discontinuation of the emergency safety nets that were established under the stabilization programme, all of which have a negative impact on children's standard of living.

55. **The Committee recommends that the State party consider holding targeted consultations with families, children and civil society organizations dealing with children's rights on the issue of child poverty, with a view to strengthening the strategies and measures for fulfilling children's rights in the context of poverty and financial and fiscal policies. The Committee recalls the recommendation of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights (A/HRC/23/37/Add.1, paras. 30 and 90 (b)), that the State party establish a permanent safety net for children in vulnerable situations.**

G. Education, leisure and cultural activities (arts. 28-31)

Education, including vocational training and guidance

56. The Committee is concerned about:

(a) Children not attending school, in particular in rural areas where educational facilities are limited;

(b) High drop-out rates among students, in particular girls;

(c) The quality of education, which places Latvian students below the European average determined by the Organization for Economic Cooperation and Development;

(d) The insufficient capacity of schools in addressing and mitigating peer violence and mobbing and in the early identification of individual addiction and behavioural disorders.

57. **The Committee recommends that the State party:**

(a) **Ensure that all school-age children attend school, with particular attention to children living in rural areas;**

(b) **Take measures to reduce and prevent students from dropping out of school, with special attention to girls;**

(c) **Invest in improving the quality of its education system to bring it into line with internationally accepted standards, notably by training teachers;**

(d) **Promote the use of the "Friendly Schools" initiative of the State Inspectorate for the Protection of Children's Rights by all schools;**

(e) **Further enhance the knowledge of school personnel of the methods and tools to prevent violence in schools and their role in identifying and mitigating it;**

(f) **Establish an early identification and individual prevention programme for children in risk situations.**

Rest, leisure, recreation and cultural and artistic activities

58. The Committee is concerned that children's participation in after-school and recreational activities and cultural events is dependent on their parents' income.

59. **In the light of its general comment no. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party take measures to increase access to affordable play, cultural, leisure and other educational and recreational activities for children from all socioeconomic contexts.**

H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d) and 38-40)

Asylum-seeking and refugee children

60. The Committee welcomes the organization of training seminars for judges, the incorporation of children's rights into educational programmes of the State Board Guard College0 and the signature of a memorandum of understanding with the Office of the United Nations High Commissioner for Refugees (UNHCR), in January 2011. The Committee is, however, concerned that:

(a) The Asylum Law, of December 2015, does not explicitly stipulate that the detention of asylum-seeking children should only be a measure of last resort and used for the shortest period of time necessary during their asylum-seeking process;

(b) Asylum-seeking children in detention facilities are entitled to primary health care and essential treatment only;

(c) Prevailing negative attitudes, including xenophobia, hinder the social and economic integration of asylum-seeking and refugee children into society.

61. **The Committee recommends that the State party:**

(a) **Review the Asylum Law to exempt asylum-seeking children from detention during the asylum-seeking procedure;**

(b) **Review the Medical Treatment Law to provide asylum-seeking children in detention with necessary advanced health treatment on an equal basis with other detained persons;**

(c) **Take all appropriate measures to prevent negative attitudes and intolerance towards asylum-seeking and refugee children and facilitate their integration into society;**

(d) **Continue to cooperate with UNHCR to implement the guidelines on applicable criteria and standards and to end the detention of asylum-seeking children.**

Administration of juvenile justice

62. The Committee welcomes the capacity-building, training and awareness-raising activities conducted with staff of detention facilities who work with children and the changes implemented based on the surveys conducted with child detainees regarding violence, conditions in detention facilities and internal investigations procedures. The Committee also welcomes the adoption, in 2009, of the concept for the reintegration of persons deprived of liberty, which envisages that each child should be provided with support for appropriate reintegration into society. However, the Committee remains concerned about:

(a) The absence of an independent complaints mechanisms available to children in detention;

(b) The lack of information on the implementation of alternatives to deprivation of liberty.

63. **In the light of its general comment No. 10 (2007) on children's rights in juvenile justice, the work of the Interagency Panel on Juvenile Justice and in line with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Guidelines for Action on Children in the Criminal Justice System, the Committee recommends that the State party:**

(a) **Ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings;**

(b) **Monitor the implementation of alternatives to deprivation of liberty handed down by courts to ensure that deprivation of liberty is only used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it.**

Child victims and witnesses of crimes

64. The Committee notes that, since 2000, the State party has guaranteed social recovery services for child victims of violence and the creation of 86 crisis and family support centres that provide psychological and legal aid. The Committee is, however, concerned about the inefficient cooperation among services for comprehensive protection of children's rights and that children and their legal representatives lack information about the procedure for and possibilities of receiving compensation.

65. **Taking into account the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20, annex), the Committee recommends that the State party:**

(a) **Improve cooperation among legal and social services for the full protection of the rights of child victims;**

(b) **Increase efforts to proactively identify child victims, including by training law enforcement officials and social services personnel on how to provide appropriate protection to child victims and minimize trauma;**

(c) **Increase compensation to child victims, including through the State agency for judicial assistance.**

I. Ratification of the Optional Protocol on a communications procedure

66. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.**

J. Ratification of international human rights instruments

67. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance.**

K. Cooperation with regional bodies

68. **The Committee recommends that the State party cooperate with the Council of Europe and the European Union on the implementation of the Convention and other human rights instruments and, in particular, ensure that economic policies and programmes, including structural adjustments during and after the economic crisis, respect, protect and promote children's rights.**

IV. Implementation and reporting

A. Follow-up and dissemination

69. **The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the third to fifth combined periodic reports, the written replies of the State party to the list of issues and the present concluding observations be made widely available in the languages of the country.**

B. Next report

70. **The Committee invites the State party to submit its combined sixth and seventh periodic reports by 13 May 2021 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.**

71. **The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document in the harmonized guidelines on reporting under the**

international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I) and General Assembly resolution 68/268 (para. 16).